

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

REGIONAL PRODUCE COOPERATIVE	:	CIVIL ACTION
CORPORATION,	:	
	:	
Plaintiff,	:	
	:	
v.	:	NO. 19-1883
	:	
TD BANK, N.A.	:	
	:	
Defendant.	:	
	:	

ORDER

AND NOW, this 12th day of December, 2022 upon consideration of Defendant TD Bank, N.A.'s Motion for Summary Judgment (Doc. Nos. 83 and 85), Plaintiff Regional Produce Cooperative Corporation's Response (Doc. No. 88), and Defendant's Reply (Doc. No. 94), it is hereby ORDERED that the Motion is GRANTED IN PART and DENIED IN PART as follows:

1. Defendant's Motion for Summary Judgment as to Plaintiff's negligence claim under Pennsylvania's Uniform Commercial Code is DENIED with respect to the disputed banking transactions from August 16, 2017 forward, as set forth in the accompanying Memorandum Opinion.

2. In all other respects, Defendant's Motion for Summary Judgment is GRANTED.

It is FURTHER ORDERED that Defendant's Motions to Seal exhibits or portions of their Memoranda (Doc. Nos. 84 and 95) are GRANTED.

BY THE COURT:

/s/ Mitchell S. Goldberg
MITCHELL S. GOLDBERG, J.